

02-22-06

A F JMW

DOCKET NO. 3802-170-27

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE Cheng CHENG et al. ART UNIT: 1642

APPLICATION

OF:

SERIAL NO.: 10/081,969 EXAMINER: Maria Marvich

FILING DATE: February 22, 2002

FOR: NOVEL ONCOLYTIC ADENOVIRAL VECTORS

**NOTICE OF APPEAL**

COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated **September 19, 2005**.

The items checked below are appropriate:

A Request for Extension of Time Under 37 C.F.R. 1.136 was filed for months.

A timely response to the final rejection was filed on January 19, 2006

A Request for Extension of Time for filing the Notice of Appeal is attached.

Fee:  \$500.00 (large entity)  \$ 250.00 (Applicant claims small entity status.)

Is enclosed.

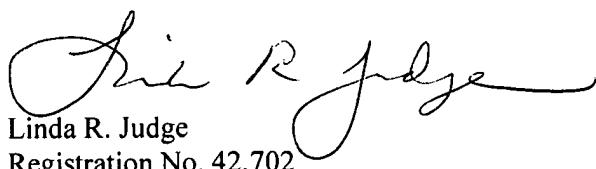
Please charge Deposit Account No. 07-1896 (an additional copy of fee transmittal is enclosed).

Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No.07-1846.

If this Notice is not considered timely by the U.S. Patent and Trademark Office, then a request is hereby made under 37 C.F.R. 1.136, and any additional fees required for any necessary extension of time may be charged to Deposit Account No. 07-1846.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY US LLP

  
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02/23/2006 CCHAU1 00000031 071896 10081969

01 FC:2401 250.00 DA  
02 FC:2252 225.00 DA

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